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8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, LOS ANGELES DIVISION**

10 In re
11 JOSE REFUGIO FUENTES,
12 Debtor.

Case No. 2:25-bk-11982-NB

Chapter 7

Hon. Neil Bason

13 **NOTICE OF CONTINUED HEARING**
14 **DATE AND RELATED DEADLINES RE:**

15 **MOTION FOR RELIEF FROM THE**
16 **AUTOMATIC STAY UNDER 11 U.S.C. §**
17 **362 [ACTION IN NONBANKRUPTCY**
18 **FORUM]**

*[Concurrently filed with Proof of Service (Fed.
R. Bankr. P. 7004(b)(9);(g), and 9014(a))]*

19 **Continued Hearing Date:**

Date: October 7, 2025

Time: 10:00 a.m.

Courtroom: 1545

21
22 **TO THE HONORABLE NEIL BASON, UNITED STATES BANKRUPTCY JUDGE,**
23 **THE DEBTOR, ALL CREDITORS, OTHER PARTIES IN INTEREST, THE OFFICE OF**
24 **THE UNITED STATES TRUSTEE, THE DULY APPOINTED CHAPTER 7 TRUSTEE,**
25 **AND RESPECTIVE COUNSEL OF RECORD:**

26 **PLEASE TAKE NOTICE THAT** the Movant Eduardo Torres (“**Movant**”) hereby gives
27 notice of the continued hearing date for that *Motion For Relief From The Automatic Stay* [Dkt. No.
28 27] (the “**Motion**”), as set forth in the Court’s tentative ruling dated September 23, 2025, attached

hereto as **Exhibit 1**. The Court has set a deadline of September 24, 2025 for Movant to give notice and file proof of service of the following:

1. The hearing on the Motion is continued to **October 7, 2025 at 10:00 a.m.** in Courtroom 1545;

2. The deadline to file any opposition to the Motion is **September 30, 2025**;

3. Reply will be permitted orally at the continued hearing;

4. Movant will serve notice upon Chapter 7 debtor Jose Refugio Fuentes (the “Debtor”), at the Debtor’s address identified on the docket, and on Debtor’s counsel;

5. A copy of the Motion will be served upon the Debtor at that the Debtor’s address identified on the docket; and

6. Proof of service will be uploaded shortly thereafter, in compliance with Fed. R. Bankr. P. 7004(b)(9); (g) and 9014(a).

DATED: September 23, 2025

ERVIN COHEN & JESSUP LLP

By:



Chase Stone

Attorneys for Movant Eduardo Torres

EXHIBIT “1”

**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, September 23, 2025

Hearing Room 1545

10:00 AM

2:25-11982 Jose Refugio Fuentes

Chapter 7

#9.00 Hrg re: Motion for relief from stay [NA]

EDUARDO TORRES
vs.
DEBTOR

Docket 27

Tentative Ruling:

Continue to 10/7/25 at 10:00 a.m., with a **deadline of 9/24/25** for Movant to (x) file and serve a notice of the continued hearing on Debtor and Debtor's counsel, with a 9/30/25 deadline for any oppositions, and with any reply permitted orally at the continued hearing, (y) serve a copy of the motion papers on Debtor at the address listed on the docket, and (z) file a proof of service. Appearances are not required on 9/23/25 (If you wish to contest the tentative ruling, see the Posted Procedures of Judge Bason, available at www.cacb.uscourts.gov, then search for "tentative rulings.")

If you are making an appearance, you may do so (1) in person in the courtroom, unless the Court has been closed (check the Court's website for public notices), (2) via ZoomGov video, or (3) via ZoomGov telephone. For ZoomGov instructions for all matters on calendar, please see page 1 of the posted tentative rulings.

Option for shortened time: This Court has selected a continued hearing date that contemplates shortened notice (per Rule 9006) but that date is conditioned on the movant filing and serving all papers on *the day after the current hearing date*. Alternatively, the movant may self-calendar a continued hearing on *regular* notice.

Reason(s) for continuance:

The motion papers were not served:

To Debtor both (a) through counsel and (b) directly. The proof of service (dkt. 27, PDF p. 23) does not show service on both (i) Debtor's counsel and (ii) Debtor directly ("double service"), as

**United States Bankruptcy Court
Central District of California
Los Angeles
Neil Bason, Presiding
Courtroom 1545 Calendar**

Tuesday, September 23, 2025

Hearing Room 1545

10:00 AM

CONT...

Jose Refugio Fuentes

Chapter 7

required by Rules 7004(b)(9)&(g) and 9014(a), Fed. R. Bankr. P.). The tentative ruling is that this Court has neither the authority nor the inclination to excuse non-compliance with these rules. It is true that this double service requirement is the exact opposite of typical non-bankruptcy practice, in which it is generally impermissible to serve a represented party personally; but there are good reasons for the double service rule in bankruptcy. It helps protect Debtor and the bankruptcy estate (*i.e.*, all parties in interest) from matters "falling through the cracks" given the high volume and speed of matters in typical bankruptcy cases, and the frequent use of service via U.S. mail.

Party Information

Debtor(s):

Jose Refugio Fuentes

Represented By
Christopher J Lauria

Movant(s):

Eduardo Torres

Represented By
Chase Aleksander Stone

Trustee(s):

David M Goodrich (TR)

Pro Se

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF CONTINUED HEARING DATE AND RELATED DEADLINES RE: MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 [ACTION IN NONBANKRUPTCY FORUM]**

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) September 23, 2025, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

David M Goodrich (TR)
dgoodrich@go2.law, c143@ecfcbis.com; dgoodrich11@ecf.axosfs.com; lroble@go2.law

Christopher J Lauria on behalf of Debtor Jose Refugio Fuentes
laurialaw@gmail.com

Chase Aleksander Stone on behalf of Interested Party Eduardo Torres
cstone@ecjlaw.com, aantonio@ecjlaw.com, dperez@ecjlaw.com

United States Trustee (LA)
ustpreion16.la.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) September 23, 2025, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor

Jose Refugio Fuentes
1291 College View Drive, Apartment C
Monterey Park, CA 91754

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R. Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

9/23/2025
Date

Debbie A. Perez
Printed Name

/s/ Debbie A. Perez
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.